



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/903,457

07/10/2001

Kuriacose Joseph

2050.001US6

9752

44367

7590

03/07/2012

SCHWEGMAN, LUNDBERG & WOESSNER/OPEN TV

P.O. BOX 2938

MINNEAPOLIS, MN 55402-0938

EXAMINER

GARG, YOGESH C

ART UNIT

PAPER NUMBER

3625

NOTIFICATION DATE

DELIVERY MODE

03/07/2012

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@slwip.com

SLW@blackhillsip.com

<b><i>Examiner-Initiated Interview Summary</i></b>	<b>Application No.</b> 09/903,457	<b>Applicant(s)</b> JOSEPH ET AL.	
	<b>Examiner</b> YOGESH C. GARG	<b>Art Unit</b> 3625	

All participants (applicant, applicant's representative, PTO personnel):

(1) YOGESH C. GARG. (3) \_\_\_\_.

(2) ELENA DRESZER. (4) \_\_\_\_.

Date of Interview: 22 February 2012.

Type:    ☒ Telephonic    ☐ Video Conference  
           ☐ Personal [copy given to: ☐ applicant    ☐ applicant's representative]

Exhibit shown or demonstration conducted:    ☐ Yes    ☐ No.  
     If Yes, brief description: \_\_\_\_\_.

Issues Discussed    ☐101    ☐112    ☐102    ☐103    ☐Others  
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: \_\_\_\_\_.

Identification of prior art discussed: \_\_\_\_\_.

**Substance of Interview**  
 (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner Garg discussed the current amendments filed 1/18/2011 and informed Ms. Dreszer that in view of the current amendments previous Objection to Specification for introducing new matter and rejections under 35 USC 112, first and second paragraphs are now moot and withdrawn. However, new amendments present new problems such as (a) new amendments are not in line with the most recent Declaration filed 6/7/2010 and therefore would be subject to rejection under 35 USC 251 due to defective oath/declaration, (b) raises new indefiniteness issues and hence would be subject to rejection under 35 USC 112, second paragraph rejection.

Examiner also suggested to Ms. Dreszer that while filing a new Substitute Declaration clauses/language should also be included as was discussed earlier for the parent Reissue Application 09/672523. .

**Applicant recordation instructions:** It is not necessary for applicant to provide a separate record of the substance of interview.

**Examiner recordation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/YOGESH C GARG/ Primary Examiner, Art Unit 3625	
--	--